

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JAMES J. FOSKETT, MARY CHRISTINE  
FOSKETT and PHYSICIANS' BENEFITS  
TRUST LIFE INSURANCE COMPANY,

AMENDED  
JUDGMENT IN A CIVIL CASE

Plaintiffs,

Case No. 06-cv-503-bbc

v.

GREAT WOLF RESORTS, INC. and  
GREAT BEAR LODGE OF WISCONSIN  
DELLS, LLC,

Defendants/Third-Party Plaintiffs,

v.

NEUMAN POOLS, INC., WATER  
TECHNOLOGY, INC., PROSLIDE  
TECHNOLOGY INC., LIBERTY  
SURPLUS INSURANCE  
CORPORATION, LEXINGTON  
INSURANCE COMPANY, NATIONAL  
SURETY CORPORATION, GREAT  
LAKES SERVICES, LLC, BLACK WOLF  
LODGE, LLC, TALL PINES RENTAL  
LLC, n/k/a J&A REAL ESTATE  
VENTURE LLC, TALL PINES REALTY,  
LLC, TALL PINES DEVELOPMENT OF  
WISCONSIN DELLS, LLC,  
ARCHITECTURAL DESIGN  
CONSULTANTS, INC. and PLANNING  
DESIGN BUILD, INC.,

Third-Party Defendants.

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This action came for consideration before the court with District Judge Barbara B. Crabb presiding. The issues have been considered and a decision has been rendered.

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IT IS ORDERED AND ADJUDGED that judgment is entered in favor of Third-Party Defendants Black Wolf Lodge, LLC, J & A Real Estate Venture LLC, Tall Pines Realty, LLC,

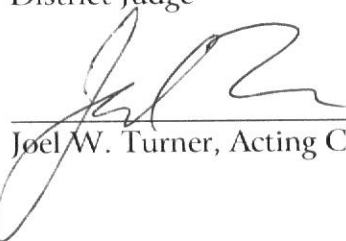
and Tall Pines Development of Wisconsin Dells, LLC ("Sellers") and against Third-Party Plaintiff Great Bear Lodge of Wisconsin Dells, LLC ("Buyer") upon Sellers' counterclaim for indemnification. Buyer shall (a) indemnify Sellers from all claims asserted against them in this matter, (b) reimburse Sellers for "all reasonable costs and expenses (including, but without limitation, reasonable attorney fees and costs)" incurred in investigating and defending against Plaintiffs' and Buyer's claims, and in successfully enforcing the terms of the Asset Purchase Agreement against Buyer.

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of Third-Party Defendants Black Wolf Lodge, LLC, Tall Pines Rental LLC, n/k/a J&A Real Estate Venture LLC, Tall Pines Realty, LLC, and Tall Pines Development of Wisconsin Dells, LLC against Third-Party Plaintiff Great Bear Lodge of Wisconsin Dells, LLC in the amount of \$714,842.98 as attorney fees and costs.

Approved as to form this 4<sup>th</sup> day of November, 2008.



Barbara B. Crabb  
District Judge



Joel W. Turner, Acting Clerk of Court

11-05-2008

Date